

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

MDL No. 2419
Master Dkt. 1:13-md-02419-RWZ

THIS DOCUMENT RELATES TO:

All Actions

[PROPOSED] ORDER ON OBJECTIONS TO REMAND

IT IS HEREBY ORDERED:

As to the Ocean State cases, *Simas v. NECC*, 13-cv-10943, and *Hanson v. NECC*, 13-cv-10685, the court hereby sets the following schedule:

1. Fact Discovery-Interim Deadlines.

- a.** All requests for production of documents and interrogatories must be served by **September 30, 2016.**
- b.** All requests for admission must be served by **October 28, 2016.**
- c.** All depositions, other than expert depositions, must be completed by **February 28, 2017.**

2. Fact Discovery-Final Deadline. All discovery, other than expert discovery, must be completed by **February 28, 2017.**

3. Expert Discovery.

- a.** Plaintiff's trial experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed by **April 18, 2017.**
- b.** Plaintiff's trial experts must be deposed by **June 16, 2017.**
- c.** Defendant's trial experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed, by **May 15, 2017.**
- d.** Defendant's trial experts must be deposed by **July 10, 2017.**

The Court sees no need for separately conducted “common discovery” proceedings in these actions. The Court will set a trial date for these actions following the close of fact discovery.

As to the Jannett, Jenner & Suggs cases (defined in the PSC’s Further Response to the Motion to Show Cause, Addressing Objections to Remand [ECF No. ___], the Court orders the following:

The Court will retain jurisdiction over and try the following cases.

#	Case. No (D. Mass.)	Caption	Clinic Defendant	Transferor Court (including direct- filed cases)	Response to Show Cause Order
1	1:13-cv-13227	<i>Kennedy v. Unifirst</i>	Advanced Pain & Anesthesia Consultants, PC	District of Massachusetts Case No: 13-cv-13227	Plaintiffs’ objection to remand [Dkt. 2942], Atty Kim Dougherty
2	1:13-cv-13228	<i>Musselwhite v. Unifirst</i>	Advanced Pain & Anesthesia Consultants, PC	District of Massachusetts Case No: 13-cv-13228	Plaintiffs’ objection to remand [Dkt. 2942], Atty Kim Dougherty
3	1:13-cv-13209	<i>Edwards v. Unifirst</i>	MAPS	District of Massachusetts Case No: 13-cv-13209	Plaintiffs’ objection to remand [Dkt. 2942] Atty Kim Dougherty

The Court will retain jurisdiction over the following cases through resolving dispositive motions and *Daubert* motions, and remand when they are trial ready:

#	Case. No (D. Mass.)	Caption	Clinic Defendant	Transferor Court (including direct-filed cases)	Response to Show Cause Order
1	1:14-cv-13676	<i>Musselwhite v. Advanced Pain & Anesthesia Consultants</i>	Advanced Pain & Anesthesia Consultants, PC	Northern District of Illinois Eastern Division Case No: 14-cv-6903	Plaintiffs' objection to remand [Dkt. 2942], Atty Kim Dougherty
2	1:14-cv-13689	<i>Kennedy v. Advanced Pain & Anesthesia Consultants</i>	Advanced Pain & Anesthesia Consultants, PC	Northern District of Illinois Eastern Division Case No: 14-cv-6898	Plaintiffs' objection to remand [Dkt. 2942], Atty Kim Dougherty
3	1:14-cv-12884	<i>Wynstock v. Ameridose</i>	Encino Outpatient Surgery Center	Central District of California Case No: 14-cv-04237	Plaintiffs' objection to remand [Dkt. 2942], Atty Kim Dougherty
4	1:14-cv-12789	<i>Jeffries v. Ameridose</i>	Fullerton Orthopaedic Surgery Medical Group	Central District of California Case No: 14-cv-00844	Plaintiffs' objection to remand [Dkt. 2942]; Kim Dougherty Fullerton advocating remand [Dkt. 2945], Atty Dennis Ames

Counsel in the Janet, Jenner & Suggs cases shall jointly propose schedules for each set of cases before the September status conference.

SO ORDERED.

Hon. Rya W. Zobel
United States District Judge